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12 Attorneys for Defendant

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15

16 RICHARD HOM, an individual on  
17 behalf of himself and JUSTIN  
18 KELLEY, an individual, on behalf of  
himself, and on behalf of all persons  
similarly situated,

19 Plaintiff,

20 vs.

21 DHL EXPRESS (USA), INC., an Ohio  
22 corporation conducting business in the  
State of California, and Does 1 to 10.

23 Defendants.  
24

CASE NO. C 08-03756 JL

Magistrate James Larson  
Courtroom: F, 15th Floor

STIPULATION AND ORDER  
RESCHEDULING FURTHER CASE  
MANAGEMENT CONFERENCE

Date: November 4, 2009  
Time: 10:30 a.m.

25  
26 The parties to the within action by their respective counsel of record hereby  
27 stipulate, and request the Court to vacate the Case Management Conference  
28 currently scheduled for September 16, 2009 to November 4, 2009 at 10:30 a.m.

1 The parties have settled this matter and need additional time to prepare their  
2 Motion for Preliminary Approval of Class Action Settlement.

3  
4 DATED: September 9<sup>th</sup>, 2009

MORRIS and ASSOCIATES

6 By:

  
STEPHEN B. MORRIS  
Attorneys for Plaintiffs

8  
9 DATED: September \_\_, 2009

LITTLER MENDELSON, APC

11  
12 By:

LAURA E. HAYWARD  
R. BRIAN DIXON  
Attorneys for Defendant

14  
15  
16 **IT IS SO ORDERED:**

17  
18 DATED: September 10, 2009

  
Honorable James Larson